

### **REMARKS/ARGUMENTS**

This case has been carefully reviewed and analyzed in view of the Official Action dated 16 January 2007. Responsive to the rejections made in the Official Action, Claims 1, 3, 4, 7-10 have been amended to clarify the combination of elements which form the invention of the subject Patent Application. Additionally, Claim 2 has been canceled by this Amendment and new Claims 11-13 have been added.

In reviewing the subject Patent Application, several areas of the description were believed to be confusing and required clarification. The clarifying language was found in other portions of the Specification, and thus no new matter has been added by these changes.

In the Official Action, the Examiner rejected Claims 1, 2 and 4-6 under 35 U.S.C. § 102(e), as being anticipated by Nagayasu, et al., U.S. Patent 7,110,800. Further, Claims 3 and 7-10 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Nagayasu, et al. in view of Dvorak, U.S. Patent 7,116,940.

Before discussing the prior art relied upon by the Examiner, it is believed beneficial to first briefly review the structure of the invention of the subject Patent Application, as now claimed. The invention of the subject Patent Application is directed to a Bluetooth earphone module with audio player function. The device includes a housing and a digital signal processor unit disposed within the housing and processing digital signals. The module includes a Bluetooth module disposed

within the housing and receiving a remote data signal and replying with a modulation signal. The device can change the digital signal processor unit to digital signal processing unit. The Bluetooth earphone module includes a voice transmission and encoder/decoder unit disposed within the housing and connected to the digital signal processing unit and the Bluetooth module for encoding/decoding voice and converting digital/analog messages. The device further includes an audio player decoder disposed within the housing and connected to the digital signal processing unit for decoding an audio player compressed digital file into an analog voice signal. The device includes a voice output unit disposed within the housing and connected to the voice transmission and encoder/decoder unit and the audio player decoder for providing an aural output to user. Still further, the Bluetooth earphone module includes a microphone disposed within the housing and connected to the voice transmission and encoder/decoder unit. In contradistinction, the Nagayasu, et al. reference is directed to a communication system using a short range radio communication headset. The headset is intended for providing voice communication with a remote communication device and includes noise canceling circuitry. As shown in Fig. 5a, the headset includes an external sound detection microphone 13, the output of which is passed through an analog to digital converter to provide an input to the digital signal processor 24 and removes components in the received audio which corresponds to that which was obtained from the external sound

detection microphone 13 to provide a clear audio output to the user, column 7, lines 16-32.

Thus, nowhere does the reference disclose or suggest a combined Bluetooth module and audio player with an audio player decoder disposed within the housing and connected to the DSP unit putting an audio player compressed digital file into an analog voice signal, as now claimed. To the contrary, the reference digitizes an audio signal then uses it to remove like components of a received digital audio signal then converts that “reduced content” digital signal into an analog signal for output to the user. Therefore, as the reference fails to disclose each and every one of the elements of the invention of the subject Patent Application, as now claimed, it cannot anticipate that invention. Further, as the reference fails to suggest such a combination of elements, and in fact nowhere mentions the handling of compressed digital files, such as music files, it cannot make obvious that invention either.

The Dvorak reference does not overcome the deficiencies of Nagayasu, et al. The Dvorak reference is directed to a communication device embedded within a belt. This discloses a two-way radio or cell phone-like device which is incorporated into a belt that is worn by a user. The reference discloses a belt buckle which includes a slot 44 for receiving a memory card 49 which may be a compact flash memory card. However, nowhere does the reference disclose or suggest that the device include an audio player decoder disposed within the

housing and connected to the digital signal processing unit for decoding an audio player compressed digital file into an analog voice signal, as now claimed.

As neither Nagayasu, et al. nor Dvorak disclose or suggest the Bluetooth earphone module incorporating an audio player function that includes an audio player decoder for decoding audio player compressed digital files, they cannot in combination, make obvious the invention of the subject Patent Application, as now claimed.

For all of the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

No fees are believed to be due with this Amendment. If there are any charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

Respectfully submitted,  
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